

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

CARLOS HONABLE,

Defendant.

CR. NO. S-95-0240 EJG

ORDER OF REFERRAL

Defendant, a federal prisoner proceeding pro se, has filed a motion seeking modification of sentence, reduction of sentence, downward departure, and immediate release from prison. Defendant's motion is based on a recent amendment to the United States Sentencing Guidelines which lowered base offense levels for crack cocaine. Although defendant has completed his original sentence, he is presently serving a term of imprisonment for violation of supervised release. He contends that the recent amendment relates to his original sentence and should result in a reduction or termination of his present incarceration.

1 After examining the record, the court has determined that
2 this matter should be referred to the Office of the Federal
3 Defender for review. The court will appoint the federal defender
4 as counsel for defendant on the motion if the federal defender so
5 requests. The Clerk of Court shall serve a copy of defendant's
6 motion and this order on the United States Attorney and on
7 Assistant Federal Defender David Porter.

8 IT IS SO ORDERED.

9 Dated: March 23, 2008

10 /s/ Edward J. Garcia
11 EDWARD J. GARCIA, JUDGE
12 UNITED STATES DISTRICT COURT
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